

ment of law and the sheriff of the county and the chiefs of police of the municipalities shall keep a permanent record of all pistols awarded to them as provided for herein, to be accounted for as other public property, and said decree or order, in the event that no appeal is taken within fifteen (15) days from the rendition thereof, shall be carried out and executed before the expiration of twenty (20) days from the date of the decree. The court, at its discretion, shall direct in said decree that the costs of the proceedings be paid by the person in whose possession said pistol, or pistols, were found when seized, or by any party, or parties, who claim to own said pistol, or pistols, or any interest therein, and who contested the condemnation and forfeiture thereof."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 7, 1967.

Time: 3:35 P.M.

Act No. 506

S. 179—Cooper, Stone, Childs, Hawkins,
Lolley, Giles, McCarley, Morrow.

AN ACT

To require law enforcement officers to report all arrests of persons charged with certain sex offenses and all courts having jurisdiction of such offenses to report all convictions therein of such offenses to the state department of public safety; to require the state department of public safety to adopt and maintain a system of registering or recording and indexing such information and making it available only to duly constituted law enforcement officers for the purpose of apprehending and convicting sex offenders and preventing and curtailing sex crimes; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to persons who have been arrested and convicted for any act of or attempt to commit an act of sexual perversion involving a member of the same or the opposite sex, with sexual perversion being defined as an act or acts constituting a violation of one or more of the following criminal laws of the State of Alabama; and without limiting the generality of the above statement shall include specifically: The crime against nature, as proscribed by Code of Alabama 1940, Title 14, Sections 106-107; rape, as proscribed by Code of Alabama 1940, Title 14, Sections 395-396; carnal knowledge of a woman or girl as proscribed by Code of Alabama 1940, Title

14, Sections 397, 398, 399 or 400, or attempting to do so, as proscribed by Code of Alabama 1940, Title 14, Section 401; indecent molestation of children, as defined and proscribed by Act No. 397, S. 279 of the Regular Session 1955 (Acts 1955, p. 932); indecent exposure, as proscribed by Act No. 594, S. 400 of the Regular Session of 1949 (Acts 1949, p. 926); incest, as proscribed by Code of Alabama 1940, Title 14, Sections 325-326; the offenses relative to obscene prints and literature, as proscribed by Code of Alabama 1940, Title 14, Sections 372-374, inclusive; employing, harboring, procuring or using a girl over ten and under eighteen years of age for the purpose of prostitution or sexual intercourse, as proscribed by Code of Alabama 1940, Title 14, Section 392; seduction, as defined and proscribed by Code of Alabama 1940, Title 14, Section 419; a male person peeping into a room occupied by a female, as proscribed by Act No. 126, S. 61, of the Regular Session of 1951 (Acts 1951, p. 354); or the attempt to commit any of the above offenses.

Section 2. Every law enforcement officer, state, county or municipal, making an arrest for any of the offenses, enumerated in Section 1 of this act or of any violation of a municipal ordinance proscribing a like offense, shall within twenty-four hours after making such arrest report such arrest to the state department of public safety, giving such information relative thereto as is required by the director of public safety.

Section 3. Every court having jurisdiction of any of the offenses enumerated in Section 1 hereof or of violations of any municipal ordinances proscribing like offenses shall cause to be forwarded to the director of public safety a record of the conviction in said court of any person of any of said offenses. For the purposes of this act the term "conviction" shall mean a final conviction; however, forfeiture of bail to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

Section 4. The state department of public safety shall adopt and maintain a system for registering or recording and indexing the information supplied by law enforcement officers and courts, pursuant to Sections 2 and 3 hereof, which, in the opinion of the director of public safety, will render this information useful in the apprehension and conviction of persons guilty of sex crimes and in the prevention or curtailment of such crimes. Information contained in such files shall not, however, be deemed public information and the contents thereof shall be made available only to duly constituted law enforcement officers for the purpose of aiding in the apprehension and conviction

of sex offenders and in the prevention and curtailment of sex crimes.

Section 5. Any law enforcement officer who fails to report an arrest as required by Section 2 hereof and any clerk of a court or magistrate of a court which does not have a clerk, which said court is required by Section 3 hereof to report convictions, who fails to report any such conviction in his court shall be guilty of a misdemeanor.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 7, 1967.

Time: 3:40 P.M.

Act No. 507

S. 180—Cooper, Stone, Childs, Hawkins,
Lolley, Giles, McCarley, Morrow

AN ACT

To require certain sex offenders to register with the sheriff of the county where they reside; to require and provide for maintenance of registers or rosters of persons registering under this act by the several sheriffs and by the state department of public safety; and to prescribe the punishment for wilful failure or refusal to so register.

Be It Enacted by the Legislature of Alabama:

Section 1. If any person, except a delinquent child, as defined in Code of Alabama 1940, Title 13, Section 150, residing in Alabama has heretofore been convicted, or shall be convicted in any state or municipal court in Alabama or so convicted in another state in any court having jurisdiction similar to the jurisdiction of state and municipal courts in Alabama for any of the offenses hereinafter enumerated, such person shall, upon his or her release from legal custody, register with the sheriff of the county of his or her legal residence within thirty days following such release or within thirty days after this act becomes effective in case such person was released prior to the effective date of this act. The offenses above referred to are

generally any act of sexual perversion involving a member of the same or the opposite sex, or any sexual abuse of any member of the same or the opposite sex or any attempt to commit any of these acts, and without limiting the generality of the above statement shall include specifically: The crime against nature, as proscribed by Code of Alabama 1940, Title 14, Sections 106-107; rape, as proscribed by Code of Alabama 1940, Title 14, Sections 395-396; carnal knowledge of a woman or girl as proscribed by Code of Alabama 1940, Title 14, Sections 397, 398, 399 or 400, or attempting to do so, as proscribed by Code of Alabama 1940, Title 14, Section 401; indecent molestation of children, as defined and proscribed by Act No. 397, S. 279 of the Regular Session 1955 (Acts, p. 932); indecent exposure, as proscribed by Act No. 594, S. 400 of the Regular Session of 1949 (Acts 1949, p. 926); incest, as proscribed by Code of Alabama 1940, Title 14, Sections 325-326; the offenses relative to obscene prints and literature, as proscribed by Code of Alabama 1940, Title 14, Sections 372-374, inclusive; employing, harboring, procuring or using a girl over ten and under eighteen years of age for the purpose of prostitution or sexual intercourse, as proscribed by Code of Alabama 1940, Title 14, Section 392; seduction, as defined and proscribed by Code of Alabama 1940, Title 14, Section 419; a male person peeping into a room occupied by a female, as proscribed by Act No. 126, S. 61, of the Regular Session of 1951 (Acts 1951, p. 354); or the attempt to commit any of the above offenses.

Any person having been so convicted shall upon moving his legal residence from one county to another register with the sheriff of the county to which he has moved within thirty days after such removal. It shall be unlawful for a convicted sex offender as described in this act to fail or refuse to register as herein required.

Section 2. The sheriff of each county in Alabama shall maintain a register or roster of the names of all persons registered by him under this act, which register shall only be open to inspection by duly constituted law enforcement officers. The sheriff shall also notify the state department of public safety of the name of each person registered by him and at the same time supply to such department information relative to the conviction of each person so registered.

Section 3. The state department of public safety shall maintain a register or roster of the names of all persons registered under this act by the several sheriffs of the state. Such register or roster shall be open only to inspection by duly constituted law enforcement officers or agencies.

Section 4. Whoever wilfully or knowingly violates Section 1 hereof shall upon conviction be imprisoned for not less than one year nor more than five years and in addition may be fined not more than \$1,000.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 7, 1967.

Time: 3:42 P.M.

Act No. 508

S. 182—Turner

AN ACT

To provide that insureds or other beneficiaries of insurance policies, subscribers to or other beneficiaries of medical hospital or hospital and medical service plans and contracts, shall, when visual services are offered, have freedom of choice of practitioner in the performance of services which are within the lawful scope of the practice of optometry.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever any policy of insurance or any medical service plan or hospital service contract or hospital and medical service contract provides for reimbursement for any visual service in Alabama which is within the lawful scope of practice of a duly licensed optometrist as defined in Title 46, Sec. 190, Code of Alabama (Recomp. 1958), the insured or other person entitled to benefits under such policy shall be entitled to reimbursement for such services, whether such services are performed by a duly licensed physician or by a duly licensed optometrist, whichever the insured selects, notwithstanding any provision to the contrary in any statute or in such policy, plan or contract; duly licensed optometrists shall be entitled to participate in such policies, plans or contracts providing for visual services, as authorized by Title 46, Sec. 190, Code of Alabama (Recomp. 1958), to the same extent as fully licensed physicians.

Section 2. This Act shall become effective on the first day of the month next following the date of its passage and approval by the Governor, or its otherwise becoming law.